

THE INDEPENDENT.

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THE INDEPENDENT

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EDMUND NORRIE, - - Editor.
G. C. KENYON, - - Manager.

Residing in Honolulu

ACT 6.

An Act to Incorporate the Honolulu Electric Railway Company.

Be it enacted by the Legislature of the Republic of Hawaii:

SECTION 15. The said Company shall have the right and power, and it shall be lawful to lay sidings along any of the said streets, and to take up and replace the said tracks, or any part thereof, and repair the same, and for these purposes or any of them, to enter into or upon the said streets, and to excavate and do any other act or thing necessary; to allow their cars to stand upon the said streets and roads at certain points or places which shall be chosen by the said Company's as "Stations," for such length of time as they shall deem it.

SECTION 16. The said Company shall have all other powers and rights necessary for the purpose of constructing such lines or tracks, and of repairing, altering and maintaining the same, and for the purpose of erecting the said poles, and laying of the said wires, and of repairing, altering and maintaining and repair of all or any other works necessary for the purpose of such railway, and other works, and all powers and rights necessary for the purpose of running and conducting an efficient line of street cars or railways.

SECTION 17. The Company shall have the right to buy, sell, manufacture electric motors, cars, locomotives, electric heaters and electrical appliances of all kinds, and to be general dealers in electrical supplies and apparatus of any kind whatsoever.

SECTION 18. The said Company shall construct and have thoroughly equipped, and in running order, not less than fifteen miles of such track or railway within two years from the date of the Charter herein granted, and if they fail to comply with the provisions herein made in this regard, they shall forfeit the right to use and occupy any streets not at that time used or occupied by them, unless an extension of the time herein specified shall be granted to them by the Executive Council, but delays owing to litigation, strikes or other causes for which the said Company is not responsible, after exercising due diligence, shall not be included in the foregoing time limit.

SECTION 19. The said Company shall keep the said tracks and roadway between the same, and the crossings between and for eighteen inches on each side of the rails, in as good condition of repair as when disturbed by the Company, for a

period beginning with the completion of any construction, alteration or repair of the tracks, and ending ninety days thereafter, and if the Company fail to do so, the Minister of the Interior, or other proper officer, may give notice in writing, to the Company requiring the same to be put in such condition and repair; and if the Company fail to comply with such notice, and forthwith with reasonable dispatch, repair and amend the same as aforesaid, the Minister of the Interior, or other proper officer, may cause such work as may be necessary for the purpose, to be done and performed and the amount, expended by the Government therefor, may be recovered against the Company by the Government, in any court of competent jurisdiction.

SECTION 20. The Company shall at all times, during the construction of such tracks or railway lines, or the erection of such poles, or laying of such wires, and during any repairs or alterations of the same, take due and proper precaution for the safety of foot or other passengers along said streets and roads, or any of them on which such construction alteration or repair is being performed.

SECTION 21. All the works necessary for constructing and laying down the several railway tracks, shall be made in a substantial manner, according to the best modern practice, and under the supervision of the Minister of the Interior or officer duly appointed.

SECTION 22. The tracks shall conform to the grades of the said streets, or roads, on which they are laid down as furnished by the Minister of the Interior, or other officer as aforesaid, and the Company shall not in any way change or alter the same without the written consent of the said Minister or other officer.

SECTION 23. The location of the line of railway in any of the streets or roads, shall not be made until the plans thereof, showing the position of the rails and other works, in each street or road, shall have been submitted to the Minister of the Interior, or such other officer, as may be appointed for that purpose, for his approval.

SECTION 24. The Minister of the Interior shall have the right to take up the streets traversed by the rails, either for the purpose of altering the grades thereof, constructing or repairing drains, or for laying down, removing, or repairing water or gas pipes, or electric conduits of any kind, and for all other purposes within the province and privileges of the said Minister of the Interior, without being liable for any compensation or damage that may be occasioned to the working of the railway, or to the works herein contemplated, but the said Minister shall, nevertheless, replace and put in good order and condition as before such removal and displacement any and all the tracks, poles, wires, or works belonging to the said Company, which the Minister of the Interior may at any time cause to be removed or displaced; and if not so, replaced and put in good order and condition by the said Minister of Interior within a reasonable time, with due regard to the completion of the work that may be in hand, by the said Minister of the Interior, the said Company may cause the same to be done at the expense of the Government.

SECTION 25. The style of rail to be employed by the Company, in constructing and laying down the several railway tracks, shall be such as is used in the best modern practice in the United States of America, and subject to the approval of the said Minister of the Interior, or other officer appointed for that purpose, as to the manner of laying the said rails.

SECTION 26. The Executive Council may make reasonable and just regulations, with the consent of the Company, regarding the hours during which the cars shall run on the said streets and roads; and the fares to be charged and collected by the said Company, for the carriage of passengers over the Company's lines.

SECTION 27. Before breaking up, opening or interfering with any of the said streets for the purpose of constructing the said railways, the said company will give, or cause to be given to the said Minister of the Interior, at least thirty days notice of their intention, and that no more than 1500 feet on any one of the said streets, shall be broken up or opened at any one time, and that when the work thereon shall have been commenced, the same shall be proceeded with steadily, and without intermission, and as rapidly as the same can be carried on, due regard being had to the proper and efficient construction of the same.

SECTION 28. During the construction of the said railways, due and proper care shall be taken to leave sufficient space and crossings, so that the traffic and travel on the said streets, and other streets intersecting the same, shall not be unnecessarily impeded, and lights be kept burning, or watchmen be provided and kept by the company, when and where required, to prevent accidents to the public.

(To be Continued)

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